

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25387 of 2023

Arising Out of PS. Case No.-332 Year-2022 Thana- KHODAWANDPUR District- Begusarai

1. MD. AFROZ Son of Md. Ilyash @ Ilyash Resident of vill.-Barijana, PO-Pansalla, PS-Khodabandpur (Chhaurahi OP), District-Begusarai
2. MD. LADDAN @ MD. LADDAM @ LADEN @ MOHD LADEN Son of Md. Ilyash @ Ilyash Resident of vill.-Barijana, PO-Pansalla, PS-Khodabandpur (Chhaurahi OP), District-Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sukriti Kumari

For the Opposite Party/s : Mr.Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 24-07-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek regular bail in connection with
Khodabandpur (Chhaurahi O.P) P.S. Case No. 332 of 2022
registered for the offence under Sections 302, 34 of the Indian
Penal Code.

According to the FIR, it is case of causing death of the
informant daughter. Allegation against these petitioners is that
they assaulted the deceased due to which she died.

Learned counsel for the petitioners submits that the
petitioners are innocent and have committed no offence.
Petitioner no.1 is husband of the deceased and he was blessed
with four children from the wedlock of the deceased. There is



no prior complaint regarding misbehave or torture to the deceased by these petitioners. They have falsely been implicated in this case. As per supplementary affidavit, it appears that during course of this bail application total six witnesses have been examined but they did not support the prosecution case in their depositions. The informant of this case has also not supported the prosecution during trial. Both the petitioners have got no criminal antecedent as stated in para-3 of the petition and languishing in judicial custody since 18.11.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period of the petitioners, this court is inclined to enlarge them on bail. The above named petitioners are directed to be released on bail in connection with Khodbandpur (Chhaurahi OP) P.S. Case No. 332 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Manjhaul, Begusarai.

(Sunil Kumar Panwar, J)

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